

ORIGINAL

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

UNITED STATES OF AMERICA

v.

ALFREDO NAVARRO HINOJOSA;
MIGUEL CASAS;
MARTIN SALVADOR RODRIGUEZ;
and CESAR MENDEZ.

§
§
§
§
§
§
§

Criminal Action No. **3:16-CR-536-L**

Court's Supplemental Charge to the Jury

Members of the Jury:

You have submitted the following question to the court:

The jury is seeking clarification on final verdicts. Is it permiss[i]ble, after much deliberation, to arrive at a "partial verdict"? Where the jurors have been unanimous on a number of charges, but "hung" on others?

Answer:

I am going to ask that you continue your deliberations in an effort to agree upon a verdict and dispose of this case in its entirety; and I have a few additional comments I would like for you to consider as you do so.

This is an important case. If you should fail to agree on a verdict as to those counts on which you cannot currently unanimously agree, they will be left open and may be tried again.

Any future jury must be selected in the same manner and from the same source as you were chosen, and there is no reason to believe that the case could ever be submitted to twelve men and women more conscientious, more impartial, or more competent to decide it, or that more or clearer evidence could be produced.

Those of you who believe that the Government has proved a defendant guilty beyond a reasonable doubt should stop and ask yourselves if the evidence is really convincing enough, given

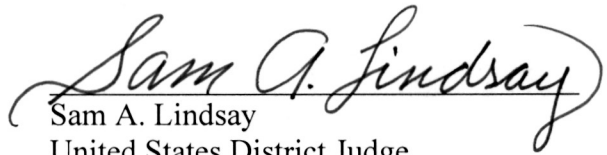
that other members of the jury are not convinced. On the other hand, those of you who believe that the Government has not proved a defendant guilty beyond a reasonable doubt should stop and ask yourselves if the doubt you have is a reasonable one, given that other members of the jury do not share your doubt.

Remember at all times that no juror is expected to yield a conscientious opinion he or she may have as to the weight or effect of the evidence; but remember also that, after full deliberation and consideration of the evidence in the case, it is your duty to agree upon a verdict if you can do so without surrendering your conscientious opinion. You must also remember that if the evidence in the case fails to establish guilt beyond a reasonable doubt as to any count in the Indictment, the accused is to have your unanimous verdict of "Not Guilty" as to that count.

You may be as leisurely in your deliberations as the occasion may require and should take all the time you believe is necessary for such deliberations.

I will ask now that you retire once again and continue your deliberations as to those counts on which you cannot unanimously agree with these additional comments in mind to be applied in conjunction with all of the instructions I have previously given to you.

It is so ordered this 3rd day of November, 2021.


Sam A. Lindsay
United States District Judge